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1 UNITED STATES DISTRICT COURT
2 DISTRICT OF MASSACHUSETTS
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5 VISIBLE SYSTEMS CORPORATION,
6 a Massachusetts Corporation,
7 Plaintiff,
8 Civil Action No.
9 vs. 04-CV-11610-RGS
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11 UNISYS CORPORATION,
12 a Delaware Corporation,
13 Defendant.

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16 DEPOSITION OF RALPH BEARL WELBORN, a witness
17 called by and on behalf of the Plaintiff, taken
18 pursuant to the provisions of Rule 30(b)(6) of the
19 Federal Rules of Civil Procedure, before James A.
20 Scally, RMR, CRR, a Notary Public in and for the
21 Commonwealth of Massachusetts, at the offices of
22 Foley & Lardner, 111 Huntington Avenue, Boston,
23 Massachusetts, on Friday, August 11, 2006, commencing
24 at 10:15 a.m.

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1 A P P E A R A N C E S

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3 STEPHEN H. GALEBACH, ESQUIRE

4 Galebach Law

5 One Knollcrest Drive

6 Andover, Massachusetts 01810

7 978-258-5300

8 Counsel for the Plaintiff

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10 WILLIAM L. BOESCH, ESQUIRE

11 Sugarman, Rogers, Barshak & Cohen PC

12 101 Merrimac Street

13 Boston, Massachusetts 02114

14 617-227-3030

15 Counsel for the Defendant

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17 ALSO PRESENT:

18 Timothy Galebach

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1 CEO overall. So he would ask me to facilitate his
2 executive team meetings. So when they would get together,
3 I don't remember if it was monthly or quarterly or
4 whatever, then I'd -- I ran those meetings.

5 Q. Were you involved working directly for Joe McGrath
6 at the time that 3D Visible Enterprise was launched in
7 June -- or in 2004?

8 A. June of '04, was I reporting to him? You know
9 what, I actually, I have -- like I said before, I'm bad
10 with dates. I reported to Joe during the initial
11 Blueprinting launch, whenever that was, June I thought,
12 when I came in.

13 Q. And that would have been 2003?

14 A. I think that's 2003. And 2004, June, I actually
15 don't know who I was reporting to.

16 Q. Who was responsible at Unisys for the launch of 3D
17 Visible Enterprise in 2004?

18 MR. BOESCH: Object to the form.

19 Answer if you can.

20 A. Well, who's responsible. Joe actually has been a
21 champion of it overall. The people who did the work for
22 it, there's a marketing piece of it, there's -- we talked
23 about before, there's the tooling and the -- some of the
24 methodology pieces of it, and then there's the sales

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1 methodology in the tooling and messaging part of it. So as
2 we talked about before, there were three legs of a stool
3 responsible for that stuff, all -- Joe said, "Yea, forth,
4 go make it happen," and then we would be responsible for
5 actually getting to that. Is that what you're asking?

6 Q. Yes. So when you came on board, it was to work on
7 what was then called Business Blueprinting, and there was
8 no 3D Visible Enterprise being connected with Business
9 Blueprinting; is that correct?

10 A. That's correct. That's correct.

11 Q. Okay. So when did you first hear that the name 3D
12 Visible Enterprise would be added into the mix?

13 A. We were at Joe's off-site meeting in Brussels. We
14 were in a small hotel near the center, and we got a phone
15 call. It was Joe's executive team meeting. And we put the
16 person on conference call, and we were told, "We have a new
17 branding for the Business Blueprinting, and it's 3D-VE."

18 Now, the reason I remember that is because I
19 immediately said, "That's a goofy name. It should be 4-D,"
20 because we are missing a whole dimension of time, just to
21 be entirely appropriate. But I was completely shot down on
22 the whole thing. So that's why I happen to remember that.

23 Q. And when was that off-site?

24 A. I don't know. I mean I could find out. It's easy

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1 to find out, but I'm just not good with dates.

2 Q. Okay. I would ask you to find out --

3 A. Sure.

4 Q. -- the timing of that.

5 Who was it who called with that name?

6 A. You know, someone on Ellyn's team, because she

7 had -- Ellyn Raftery, head of marketing now, she was head

8 of marketing for the global industries then. She was

9 working with, I think it was Grey Communications out of New

10 York, and I think that they came up with the name.

11 Q. So you thought initially it was a goofy idea?

12 A. Well, you know, 3D, I'm a purist initially. I

13 quickly back off, but I'm a purist.

14 Q. What was Joe's reaction when he heard it at the

15 meeting?

16 A. I think that the executive team basically, you

17 know, they all said, "Okay."

18 Q. Did it appear to be news to him or did he already

19 know?

20 MR. BOESCH: Steve, I want to caution

21 you that you're outside the scope of the

22 topics in your notice, I think, unless you

23 can explain your --

24 MR. GALEBACH: Understood. Although